

# MARRIAGE IN FRANCE

**DISCLAIMER:** The information below relating to French legal requirements is provided for general information only and may not be totally accurate in a particular case. Questions involving interpretations of specific provisions or application to a specific case should be addressed to French government officials.

The following information is for the guidance ONLY of civilian American citizens contemplating marriage in France. Although marriage statutes in the United States vary from state to state, a marriage performed in France under French law is recognized in all states. American diplomatic and consular officers DO NOT have the legal authority to perform marriages. Marriages CANNOT be performed within the Embassy or within an American consular office in France.

## **Civil and religious ceremonies:**

Civil Ceremony: To be legal, all marriages in France must be performed by a French civil authority, i.e., an *officier de l'état civil*, BEFORE any religious ceremony takes place. In practice, this means the mayor (*maire*) or his legally authorized representative, such as a deputy mayor (*adjoint*) or a town councilor (*conseiller municipal*), of the town in which one of the parties to be married has resided for at least forty (40) days immediately preceding the marriage. All Americans marrying in France must comply with this requirement.

Religious ceremony: A religious ceremony may be performed AFTER (never before) the civil ceremony. The minister, priest or rabbi performing the religious ceremony will require the certificate of civil marriage (*certificat de célébration civile*) as proof that the civil ceremony has taken place.

## **Residence requirement and place of marriage:**

At least one of the contracting parties must have resided in France for forty (40) days continuously prior to the marriage: The *mairie* (city hall) or town where the civil ceremony takes place is dictated by the place of residence. If both of the parties to marry meet the residence requirement, but resided in different districts, the civil ceremony may take place in either district of residence. The 40-day residence requirement cannot be waived. Unfortunately, this precludes a wedding in Paris in those cases where both parties are only visiting for a short stay.

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### **Publications of banns:**

French law also requires the posting of marriage banns at the appropriate *mairie* no less than ten (10) days preceding the date of marriage. The first publication of the banns can be made only at the end of thirty (30) days of residence in France by one party to the marriage. Only in very exceptional cases can this requirement be waived by a French authority (the Procureur de la République for the district in which the marriage will take place.)

\* Each *mairie* may require that the complete marriage file be presented as much as 10 or more days prior to the publication of banns. Please contact your *mairie* to find out exactly what the timeframe is.

### **Marriage certificate:**

Couples married in France automatically receive a *livret de famille*. This is a booklet which serves as an official record of the marriage and subsequent events in the family such as births, deaths, divorce or name changes. In France, the *livret de famille* is an official document.

It is also possible to obtain a marriage certificate (*extrait d'acte de mariage*) by writing to the *mairie* where the marriage took place. You must indicate:

- a) The date and place of the marriage; and
- b) The full names (including wife's maiden name) of the two parties. If the certificate is to be mailed in France, the request should be accompanied by a self-addressed, stamped envelope. If the certificate is to be mailed to a U.S. address, provide a self-addressed envelope with a Universal Postal Union coupon to cover international postage costs.

### **Documentary requirements:**

It is very important that you first learn exactly, from the city hall (*mairie*), all the documentary requirements for marriage in their district, and whether they will accept affidavits available at the Embassy.

Most *mairies* in France require some or all of the following documents:

- 1. A valid U.S. passport, or a French residence permit (*carte de sejour*);**
- 2. A birth certificate (*extrait d'acte de naissance*) less than 3-months-old.** (Some city halls require an *apostille* on the birth certificate, please see separate information sheet on the [apostille](#) for more information.

Most city halls require that you present a certified copy of your birth certificate less than 3-months-old along with a sworn translation. You must obtain the translation from a sworn translator (*traducteur assermenté*) Sworn translators are listed at every *mairie*. The Office of

American Services of the U.S. Embassy also has a list. The Embassy does not provide translation services.

Some city halls may accept a notarized affidavit (*Attestation d'identité et de nationalité*) executed before an American Consular officer in France. Because the information on American birth certificates differs from that provided on French birth certificates, individuals born in the U.S. must generally submit additional information about their marital status. The fee is \$30.00, or the euro equivalent per initial signature/seal; each additional signature/seal provided at the same time in connection with the same transaction will cost \$20 or the euro equivalent.

- In order to obtain a certified copy of your U.S. birth certificate, please refer to the following website [www.vitalchek.com](http://www.vitalchek.com)

### **3. An affidavit of marital status (*certificat de célibat ou de non-remariage*) less than 3 months-old:**

French city halls also usually require a certificate of celibacy. This can be done in the form of a notarized affidavit (*Attestation tenant lieu de Certificat de Célibat ou de non-remariage*) executed before an American Consular officer in France. The fee is \$30.00, or the euro equivalent per initial signature/seal; each additional signature/seal provided at the same time in connection with the same transaction will cost \$20 or the euro equivalent. Again, keep in mind that some city halls do not accept affidavits and have special requirements. This document may be obtained at the Consular Section of the Embassy in Paris, **Tuesday through Friday from 9:00 a.m. to 1:00 p.m.**, except on French and American holidays, upon presentation of your U.S. passport.

### **4. Affidavit of law (*certificat de coutume*):**

Some *mairies* may request an Affidavit of Law and Customs (*Certificat de Coutume*) in addition to the Affidavit of Marital Status. The Affidavit of Law and Customs is a statement about U.S. marriage laws, certifying that the American citizen is free to contract marriage in France and that the marriage will be recognized in the United States.

The Embassy can provide you with a document called *attestation tenant lieu de certificat de coutumes* which can replace the actual *certificat de coutumes* for marriage purposes. Please note that there are two types of documents depending on whether it is a first marriage. Again, keep in mind that some city halls do not accept affidavits and may need a 'real' affidavit of law issued by an attorney licensed to practice in both France and the United States. The Affidavit of Law is prepared on the basis of the attorney's examination of the individual's documentation (divorce decree, death certificate of spouse, etc.) and verification and citation of the applicable marriage laws of the United States. The fee is \$30.00, or the euro equivalent per initial signature/seal; each additional signature/seal provided at the same time in connection with the same transaction will cost \$20 or the euro equivalent. This document may be obtained at the Consular Section of the Embassy in Paris, **Tuesday through Friday from 9:00 a.m. to 1:00 p.m.**, except on French and American holidays, upon presentation of your U.S. passport.

**5. A medical certificate (*certificat d'examen médical prénuptial*) less than 2 months-old:**

Each party to marriage must obtain a pre-nuptial medical certificate (*certificat d'examen médical prénuptial*) attesting that the individual was examined by a doctor *en vue de mariage*. The marriage banns cannot be published until medical certificates have been submitted to the *mairie*. The certificates must be dated no earlier than two months before the publication of banns. Any qualified doctor can perform the medical examination (the Embassy publishes a list of English-speaking doctors.)

Individuals coming directly from the United States can be medically examined in the United States by a physician approved by the local French Embassy or Consulate (usually, a list of such physicians is furnished by the Consulate.) However, authorities in France require that the original certificate be in the French language, or that an official translation notarized by a French consul in the United States be submitted with the certificate in English. The two-month limitation of validity also applies in such a case.

**6. proof of domicile (*justificatifs de domicile*):**

You will need to present 2 proofs of domicile to the *mairie* in the city of marriage (i.e.: electricity or telephone bills, rent etc.)

**7. *certificat du notaire*:**

In addition to the above, if the parties to marriage opt for a prenuptial contract governing their respective properties (*régime du mariage*), the French notary preparing the contract will give the couple a certificate (*certificat du notaire*) which must be presented to the *mairie* as well.

For information concerning the <b>PACS</b> (Pacte civil de solidarité) please consult the following website page: <a href="http://www.france.diplomatie.fr/etrangers/vivre/pacs/#1">http://www.france.diplomatie.fr/etrangers/vivre/pacs/#1</a>
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